

**EIGHTY-FOURTH GENERAL ASSEMBLY  
2012 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MARCH 12, 2012

**HOUSE FILE 2380**

**H-8152**

1 Amend House File 2380 as follows:

2 1. Page 54, after line 11 by inserting:

3 <DIVISION

4 TOBACCO PROHIBITED ON SCHOOL GROUNDS

5 Sec. \_\_\_\_\_. Section 279.9, Code 2011, is amended to  
6 read as follows:

7 279.9 Use of tobacco, alcoholic beverages, or  
8 controlled substances.

9 1. ~~The rules shall prohibit the use of tobacco,~~  
10 ~~including nicotine products, and the use or possession~~  
11 ~~of alcoholic liquor, wine, or beer or any controlled~~  
12 ~~substance as defined in section 124.101, subsection 5,~~  
13 ~~by any student of the schools, and the or by anyone on~~  
14 ~~school grounds, is prohibited. The school board may~~  
15 ~~suspend or expel a student for a violation of a rule~~  
16 ~~under this section. The school board may remove a~~  
17 ~~person for violation of this section and may bar the~~  
18 ~~person's future presence on school grounds for such~~  
19 ~~violation.~~

20 2. As used in this section, "nicotine product"  
21 means any product containing nicotine or any other  
22 preparation of tobacco not described in section 453A.1,  
23 and any product or formulation of matter containing  
24 biologically active amounts of nicotine that is  
25 manufactured, sold, offered for sale, or otherwise  
26 distributed with the expectation that the product  
27 or matter will be introduced into the human body.  
28 "Nicotine product" does not include any cessation  
29 product specifically approved by the United States food  
30 and drug administration for use in reducing, treating,  
31 or eliminating nicotine or tobacco dependence.>

32 2. By renumbering as necessary.

**By** KOESTER of Polk

**H-8152** FILED MARCH 9, 2012

HOUSE FILE 2380

H-8153

1 Amend House File 2380 as follows:

2 1. Page 55, before line 23 by inserting:

3 <DIVISION \_\_\_\_\_

4 ADVANCED PLACEMENT PERFORMANCE FUNDING

5 Sec. \_\_\_\_\_. NEW SECTION. 257.16B Advanced placement

6 performance funding.

7 1. For budget years beginning on or after July  
8 1, 2014, the department of management shall allocate  
9 from amounts appropriated by the general assembly to  
10 the department and from other moneys available to and  
11 obtained or accepted by the department for providing  
12 advanced placement performance funding for school  
13 districts as provided in this section.

14 2. a. Each school district shall receive an amount  
15 equal to the school district's total number of advanced  
16 placement students divided by the total number of  
17 advanced placement students in the state, and then  
18 multiplied by the amount of moneys available to provide  
19 advanced placement performance funding for the budget  
20 year under subsection 1.

21 b. The department of management shall on or before  
22 July 1 of the budget year notify each school district  
23 of the amount of advanced placement performance funding  
24 under this section.

25 c. Payments made to school districts under this  
26 section are miscellaneous income and may be used for  
27 any school district general fund purpose.

28 3. For purposes of this section, "advanced placement  
29 student" means a student who was enrolled in the  
30 school district during the school year preceding the  
31 base year, who was enrolled in one or more advanced  
32 placement courses during such school year as provided  
33 under section 261E.4, and who also achieved a score  
34 on the advanced placement examination for at least  
35 one such course of three or higher on the advanced  
36 placement five-point scale.

37 4. The department of education shall adopt rules  
38 under chapter 17A necessary to implement this section,  
39 including rules that prescribe all necessary reporting  
40 requirements for school districts.>

41 2. Title page, line 3, after <examiners,> by  
42 inserting <the department of management,>

43 3. By renumbering as necessary.

**By WILLEMS of Linn**

H-8153 FILED MARCH 9, 2012

HOUSE FILE 2380

H-8154

1 Amend House File 2380 as follows:

2 1. Page 55, after line 22 by inserting:

3 <DIVISION \_\_\_\_\_

4 PROFESSIONAL SERVICE AND GUIDANCE COUNSELORS

5 Sec. \_\_\_\_\_. Section 256.9, Code Supplement 2011, is  
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 65. a. Collaborate with, at  
8 a minimum, the board of educational examiners; the  
9 Iowa association of community college trustees; the  
10 association of Iowa area education agencies; the Iowa  
11 school counselor association; the economic development  
12 authority; the department of workforce development;  
13 the governor's science, technology, engineering, and  
14 mathematics advisory council; and students recommended  
15 by the Iowa jobs for America's graduates program; or  
16 successor entities, to develop standards and procedures  
17 for the approval of professional service and secondary  
18 guidance counselor preparation and professional  
19 development programs that, upon approval by the  
20 department, accredited postsecondary institutions which  
21 grant postgraduate degrees may offer to persons seeking  
22 authorization by the board of educational examiners  
23 to serve as secondary school guidance counselors or  
24 to provide professional services in Iowa schools.  
25 A collaboration as specified in this subsection  
26 shall include representation from any stakeholder  
27 organization willing to assist the department in  
28 meeting the requirements of this subsection.

29 b. Community colleges, the economic development  
30 authority, and the department of workforce development  
31 shall consult and coordinate with employment and  
32 workplace stakeholders in assisting the director in  
33 developing standards and procedures for the approval of  
34 programs pursuant to this subsection.

35 c. Accredited postsecondary institutions that offer  
36 programs approved pursuant to this subsection shall  
37 coordinate with community colleges to ensure that  
38 the professional development programs approved under  
39 this subsection are offered throughout the state at  
40 convenient times.

41 d. The requirements for coursework and programs  
42 approved pursuant to this subsection shall include but  
43 not be limited to the following:

44 (1) Provision of information regarding career  
45 exploration, planning, and development assistance;  
46 and opportunities available to Iowa's students from  
47 targeted industries as defined in section 15.411,  
48 subsection 1, as well as industries requiring skilled  
49 workers with educational backgrounds in science,  
50 technology, engineering, or mathematics.

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1 (2) Elements to encourage the involvement of  
2 parents in career exploration and planning with their  
3 children.

4 (3) Elements to encourage the involvement of  
5 elementary counselors in career exploration and  
6 planning with their students.

7 (4) One semester credit or the equivalent  
8 issued by a community college or other accredited  
9 postsecondary institution in Iowa for coursework  
10 or professional development in career exploration,  
11 career education, and career planning. If offered by  
12 a community college, the coursework shall be offered  
13 at the resident tuition rate set pursuant to section  
14 260C.14, subsection 2, to students enrolled in approved  
15 professional service and guidance counselor preparation  
16 programs and to persons renewing their professional  
17 service or secondary guidance counselor licenses or  
18 endorsements pursuant to section 272.9B. If a community  
19 college fails to offer coursework or professional  
20 development in career exploration, career education,  
21 and career planning by July 1, 2013, the provisions  
22 of section 272.9B shall not apply to an applicant  
23 described in that section who resides within the  
24 boundaries of the community college and who is employed  
25 by an Iowa school as a secondary guidance counselor,  
26 until July 1, 2014, or until twelve months following  
27 the date upon which the coursework is made available by  
28 the community college, whichever is later.

29 e. The director shall establish an application and  
30 review process for approval of programs developed and  
31 implemented pursuant to this subsection.

32 f. For purposes of this subsection, "professional  
33 service" refers to preparation and professional  
34 development programs for, and licensure and endorsement  
35 of, persons who are authorized under chapter 272 to  
36 provide services in Iowa schools as a school counselor.

37 g. This subsection shall not be construed to  
38 require that an accredited postsecondary institution  
39 offering a major course of study related to the  
40 relevant coursework offered in programs approved  
41 pursuant to this subsection establish additional credit  
42 requirements to graduate or achieve certification from  
43 the institution in the related major course of study  
44 from the institution. However, only coursework and  
45 programs that meet the requirements established by the  
46 director in accordance with this subsection shall be  
47 approved by the director.

48 Sec. \_\_\_\_\_. NEW SECTION. 272.9B Professional service  
49 and guidance counselor licenses.

50 Beginning July 1, 2014, except as provided in

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1 section 256.9, subsection 65, paragraph "d", the board  
2 shall require applicants for professional service and  
3 secondary guidance counselor licenses and endorsements,  
4 and for the renewal of such licenses and endorsements,  
5 to have successfully completed a professional service  
6 or secondary guidance counselor preparation program  
7 or professional development program, as appropriate,  
8 approved in accordance with section 256.9, subsection  
9 65.

10 Sec. \_\_\_\_\_. Section 279.61, Code 2011, is amended by  
11 adding the following new subsection:

12 NEW SUBSECTION. 3. Beginning July 1, 2015, except  
13 as otherwise provided in section 256.9, subsection 65,  
14 paragraph "d", career and academic guidance counseling  
15 services shall be provided by the board of directors  
16 of a school district to students enrolled in grades  
17 nine through twelve only by persons issued professional  
18 service or secondary guidance counselor licenses or  
19 endorsements pursuant to section 272.9B, or who hold  
20 a license issued by the board and meet the renewal  
21 requirements for a license pursuant to section 272.9B.>

22 2. By renumbering as necessary.

**By** ISENHART of Dubuque

BYRNES of Mitchell

KOESTER of Polk

HANSON of Jefferson

**H-8154** FILED MARCH 9, 2012

**HOUSE FILE 2399**

**H-8170**

1 Amend House File 2399 as follows:

2 1. Page 2, after line 10 by inserting:

3 <3A. All scrap metal transactions, other than  
4 those transactions exempt pursuant to subsection 4, in  
5 which the total sale price exceeds fifty dollars shall  
6 require payment by check or electronic funds transfer.>

7 2. Page 2, after line 25 by inserting:

8 <4A. The provisions of this section shall take  
9 precedence over and supersede any local ordinance  
10 adopted by a political subdivision that regulates scrap  
11 metal transactions.>

12 3. Page 2, by striking lines 26 through 34 and  
13 inserting:

14 <5. A person who violates this section shall be  
15 subject to a civil penalty as follows:

16 a. An initial violation shall subject the person to  
17 a civil penalty in the amount of one hundred dollars.

18 b. A second violation within two years shall  
19 subject the person to a civil penalty in the amount of  
20 five hundred dollars.

21 c. A third or subsequent violation within two years  
22 shall subject the person to a civil penalty in the  
23 amount of one thousand dollars.>

24 4. By renumbering as necessary.

**By** HAGENOW of Polk

**H-8170** FILED MARCH 9, 2012

HOUSE FILE 2433

H-8171

1 Amend House File 2433 as follows:

2 1. Page 1, by striking line 22 and inserting <shall  
3 follow Robert's rules of order, in>

4 2. Page 1, after line 23 by inserting:

5 <Sec. \_\_\_\_\_. Section 17A.4, subsection 1, paragraph  
6 b, Code 2011, is amended to read as follows:

7 b. (1) Afford all interested persons not less than  
8 twenty days to submit data, views, or arguments in  
9 writing, including in an electronic format. If timely  
10 requested in writing by twenty-five interested persons,  
11 by a governmental subdivision, by the administrative  
12 rules review committee, by an agency, or by an  
13 association having not less than twenty-five members,  
14 the agency must give interested persons an opportunity  
15 to make oral presentation.

16 (2) To the extent practicable, the agency shall  
17 provide an opportunity to make these oral presentations  
18 using the Iowa communications network or other  
19 electronic means and provide public access at multiple  
20 sites throughout the state. If a request is received  
21 from twenty-five interested persons residing in the  
22 same city or county, the agency shall provide an  
23 opportunity for oral presentation in that city or  
24 county.

25 (3) The opportunity for oral presentation must be  
26 held at least twenty days after publication of the  
27 notice of its time and place in the Iowa administrative  
28 bulletin. The agency shall consider fully all written  
29 and oral submissions respecting the proposed rule.  
30 Within one hundred eighty days following either  
31 the notice published according to the provisions  
32 of paragraph "a" or within one hundred eighty days  
33 after the last date of the oral presentations on the  
34 proposed rule, whichever is later, the agency shall  
35 adopt a rule pursuant to the rulemaking proceeding or  
36 shall terminate the proceeding by publishing notice of  
37 termination in the Iowa administrative bulletin.

38 Sec. \_\_\_\_\_. Section 17A.4, subsection 2, Code 2011,  
39 is amended to read as follows:

40 2. An agency shall include in a preamble to each  
41 rule it proposes or adopts a brief explanation of the  
42 principal reasons for its action a specific reference  
43 to the Code section or sections being implemented  
44 and a concise statement of the principal reasons for  
45 and against the rule adopted, incorporating in the  
46 statement the reasons for overruling considerations  
47 urged against the rule and, if applicable, a brief  
48 explanation of the principal reasons for its failure

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1 to provide in ~~that the~~ rule for the waiver of the rule  
2 in specified situations if no such waiver provision is  
3 included in the rule. ~~This explanatory requirement~~  
4 ~~does not apply when the agency adopts a rule that only~~  
5 ~~defines the meaning of a provision of law if the agency~~  
6 ~~does not possess delegated authority to bind the courts~~  
7 ~~to any extent with its definition. In addition, if~~  
8 ~~requested to do so by an interested person, either~~  
9 ~~prior to adoption or within thirty days thereafter, the~~  
10 ~~agency shall issue a concise statement of the principal~~  
11 ~~reasons for and against the rule adopted, incorporating~~  
12 ~~therein the reasons for overruling considerations urged~~  
13 ~~against the rule. This concise statement shall be~~  
14 ~~issued either at the time of the adoption of the rule~~  
15 ~~or within thirty five days after the agency receives~~  
16 ~~the request.~~>

17 3. Page 3, after line 20 by inserting:  
18 <Sec. \_\_\_\_\_. NEW SECTION. 17A.6A Rulemaking internet  
19 site.

20 1. Subject to the direction of the administrative  
21 rules coordinator, each agency shall make available to  
22 the public a uniform, searchable, and user-friendly  
23 rules database, published on an internet site.

24 2. An agency's rulemaking internet site shall also  
25 make available to the public all of the following:

26 a. A brief summary of the rulemaking process,  
27 including a description of any opportunity for public  
28 participation in the process.

29 b. Process forms for filing comments or complaints  
30 concerning proposed or adopted rules.

31 c. Process forms and instructions for filing a  
32 petition for rulemaking, a petition for a declaratory  
33 order, or a request for a waiver of an administrative  
34 rule.

35 d. Any other material prescribed by the  
36 administrative rules coordinator.

37 3. To the extent practicable, the administrative  
38 rules coordinator shall create a uniform format for  
39 rulemaking internet sites.>

40 4. Page 5, after line 9 by inserting:

41 <Sec. \_\_\_\_\_. Section 17A.23, Code 2011, is amended to  
42 read as follows:

43 17A.23 Construction ---- delegation of authority.

44 1. Except as expressly provided otherwise by this  
45 chapter or by another statute referring to this chapter  
46 by name, the rights created and the requirements  
47 imposed by this chapter shall be in addition to those  
48 created or imposed by every other statute in existence  
49 on July 1, 1975, or enacted after that date. If any  
50 other statute in existence on July 1, 1975, or enacted



1 after that date diminishes a right conferred upon a  
2 person by this chapter or diminishes a requirement  
3 imposed upon an agency by this chapter, this chapter  
4 shall take precedence unless the other statute  
5 expressly provides that it shall take precedence over  
6 all or some specified portion of this ~~named~~ cited  
7 chapter.

8     2. This chapter shall be construed broadly to  
9 effectuate its purposes. This chapter shall also  
10 be construed to apply to all agencies not expressly  
11 exempted by this chapter or by another statute  
12 specifically referring to this chapter by ~~name~~  
13 citation; and except as to proceedings in process on  
14 July 1, 1975, this chapter shall be construed to apply  
15 to all covered agency proceedings and all agency action  
16 not expressly exempted by this chapter or by another  
17 statute specifically referring to this chapter by ~~name~~  
18 citation.

19     3. An agency shall have only that authority or  
20 discretion delegated to or conferred upon the agency by  
21 law and shall not expand or enlarge its authority or  
22 discretion beyond the powers delegated to or conferred  
23 upon the agency. Unless otherwise specifically  
24 provided in statute, a grant of rulemaking authority  
25 shall be construed narrowly.

26     Sec. \_\_\_\_\_. NEW SECTION. 17A.24 Rule implementation  
27 of federal statute, regulation, or policy.

28     1. Except as otherwise explicitly authorized by  
29 state law, an agency charged with the implementation  
30 of a federal statute, regulation, or policy shall not  
31 implement the federal statute, regulation, or policy in  
32 a manner that exceeds the specific requirements of the  
33 federal statute, regulation, or policy.

34     2. Any portion of an agency rule or policy that  
35 implements a federal statute, regulation, or policy  
36 and that exceeds the specific requirements of the  
37 federal statute, regulation, or policy is automatically  
38 superceded by the specific requirements of that federal  
39 statute, regulation, or policy.>

40     5. Page 5, after line 13 by inserting:

41     <Sec. \_\_\_\_\_. Section 99D.7, subsection 19, Code  
42 Supplement 2011, is amended to read as follows:

43     19. To revoke or suspend licenses and impose fines  
44 not to exceed one thousand dollars. The commission  
45 shall not treat a deferred judgment or a final order  
46 resulting in a deferred judgment, as deferred judgment  
47 is defined in section 907.1, as a conviction in  
48 determining whether there are grounds for licensee  
49 discipline or license denial, unless the deferred  
50 judgment is withdrawn and judgment is entered as



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1 provided in section 907.3, subsection 1.  
2 Sec. \_\_\_\_\_. Section 99F.4, subsection 12, Code 2011,  
3 is amended to read as follows:  
4 12. To assess a fine and revoke or suspend  
5 licenses. The commission shall not treat a deferred  
6 judgment or a final order resulting in a deferred  
7 judgment, as deferred judgment is defined in section  
8 907.1, as a conviction in determining whether there  
9 are grounds for licensee discipline or license denial,  
10 unless the deferred judgment is withdrawn and judgment  
11 is entered as provided in section 907.3, subsection 1.>  
12 6. Page 7, by striking lines 13 through 26.  
13 7. Page 8, after line 3 by inserting:  
14 <Sec. \_\_\_\_\_. ENVIRONMENTAL REGULATION STUDY.  
15 1. The legislative council, in consultation with  
16 the department of natural resources, shall establish  
17 a study to analyze the projected financial effects  
18 of current and proposed United States environmental  
19 protection agency regulations and Iowa department of  
20 natural resources rules on Iowa cities over a ten-year  
21 period.  
22 2. The study should include an analysis of  
23 projected financial costs of such regulations and rules  
24 on a hypothetical small Iowa community, medium-sized  
25 Iowa community, and large Iowa community.  
26 3. The study shall be concluded by June 30, 2013,  
27 and a report shall be provided to the members of the  
28 general assembly and to the governor.>  
29 8. By renumbering as necessary.

By PETTENGILL of Benton

**H-8171** FILED MARCH 9, 2012

**HOUSE FILE 2435**

**H-8155**

1 Amend House File 2435 as follows:  
2 1. Page 1, line 22, by striking <10,242,086> and  
3 inserting <10,442,086>

By HEDDENS of Story

**H-8155** FILED MARCH 9, 2012

HOUSE FILE 2435

H-8156

1 Amend House File 2435 as follows:

2 1. Page 3, line 19, by striking <20,663,690> and  
3 inserting <23,663,690>

4 2. Page 3, by striking lines 21 through 33 and  
5 inserting:

6 <a. (1) Of the funds appropriated in this  
7 subsection, ~~-\$1,626,915~~ \$3,000,000 shall be used for  
8 the tobacco use prevention and control initiative,  
9 including efforts at the state and local levels, as  
10 provided in chapter 142A. The commission on tobacco use  
11 prevention and control established pursuant to section  
12 142A.3 shall advise the director of public health in  
13 prioritizing funding needs and the allocation of moneys  
14 appropriated for the programs and activities of the  
15 initiative under this subparagraph (1) and shall make  
16 recommendations to the director in the development of  
17 budget requests relating to the initiative.

18 (2) Of the funds allocated in this paragraph "a",  
19 ~~-\$226,915~~ \$453,830 shall be transferred to the>

**By** HEDDENS of Story

H-8156 FILED MARCH 9, 2012

HOUSE FILE 2435

H-8157

1 Amend House File 2435 as follows:

2 1. Page 9, line 30, by striking <3,788,859> and  
3 inserting <4,188,539>

4 2. Page 11, line 6, by striking <70,000> and  
5 inserting <132,580>

6 3. Page 12, by striking lines 8 through 15 and  
7 inserting:

8 <h. (1) Of the funds appropriated in this  
9 subsection, ~~-\$74,500~~ \$149,000 shall be used for  
10 continued implementation of the recommendations of the  
11 direct care worker task force established pursuant  
12 tot 2005 Iowa Acts, chapter 88, based upon the report  
13 submitted to the governor and the general assembly in  
14 December 2006. The department may use a portion of  
15 the funds allocated in this lettered paragraph for  
16 an additional position to assist in the continued  
17 implementation.>

18 4. Page 12, by striking lines 16 through 23 and  
19 inserting:

20 <i. (1) Of the funds appropriated in this  
21 subsection, ~~-\$65,050~~ \$130,100 shall be used for  
22 allocation to an independent statewide direct care  
23 worker association under a contract with terms  
24 determined by the director of public health relating  
25 to education, outreach, leadership development,  
26 mentoring, and other initiatives intended to enhance  
27 the recruitment and retention of direct care workers in  
28 health care and long-term care settings.>

29 5. Page 12, by striking lines 24 through 27 and  
30 inserting:

31 <(2) Of the funds appropriated in this subsection,  
32 ~~-\$29,000~~ \$58,000 shall be used to provide scholarships  
33 or other forms of subsidization for direct care  
34 worker educational conferences, training, or outreach  
35 activities.>

36 6. Page 61, by striking lines 24 through 32.

37 7. By renumbering as necessary.

**By** HEDDENS of Story

H-8157 FILED MARCH 9, 2012

HOUSE FILE 2435

H-8158

1 Amend House File 2435 as follows:  
2 1. Page 23, line 29, by striking <20,235,905> and  
3 inserting <20,421,979>  
4 2. Page 24, line 27, by striking <45,286,573> and  
5 inserting <45,729,436>  
6 3. Page 24, line 29, by striking < \$7,824,377> and  
7 inserting < \$8,010,451>  
8 4. Page 25, after line 31 by inserting:  
9 <4A. Of the funds appropriated in this section,  
10 \$256,789 shall be used to replace child support  
11 collection revenues credited to the child support  
12 recovery unit appropriation made in this division of  
13 this Act.>  
14 5. By renumbering as necessary.

By HEDDENS of Story

H-8158 FILED MARCH 9, 2012

HOUSE FILE 2435

H-8159

1 Amend House File 2435 as follows:  
2 1. Page 31, line 34, by striking <32,677,152> and  
3 inserting <38,700,160>  
4 2. By striking page 31, line 35, through page 32,  
5 line 2, and inserting:  
6 <2. Of the funds appropriated in this section,  
7 ~~\$64,475~~ \$128,950 is allocated for continuation of the  
8 contract for outreach with the department of public  
9 health.>

By HEDDENS of Story

H-8159 FILED MARCH 9, 2012

HOUSE FILE 2435

H-8160

1 Amend House File 2435 as follows:  
2 1. Page 35, line 29, by striking <77,084,185> and  
3 inserting <79,377,929>  
4 2. Page 37, line 19, by striking < \$6,470,116> and  
5 inserting < \$7,170,116>  
6 3. Page 38, line 5, by striking < \$1,900,000> and  
7 inserting < \$2,062,488>  
8 4. Page 40, line 8, by striking <3,069,832> and  
9 inserting <3,092,375>

By HEDDENS of Story

H-8160 FILED MARCH 9, 2012

**HOUSE FILE 2435**

**H-8161**

1 Amend House File 2435 as follows:  
2 1. Page 35, line 29, by striking <77,084,185> and  
3 inserting <77,184,185>  
4 2. Page 42, after line 8 by inserting:  
5 <25A. Of the funds appropriated in this section,  
6 \$100,000 shall be used for continued support for a  
7 child protection center operated in a hospital in a  
8 county in northeast Iowa with a population between  
9 120,000 and 135,000. Population numbers used in this  
10 subsection are from the latest preceding certified  
11 federal census.>

By HEDDENS of Story

**H-8161** FILED MARCH 9, 2012

**HOUSE FILE 2435**

**H-8162**

1 Amend House File 2435 as follows:  
2 1. Page 49, line 1, by striking <8,399,686> and  
3 inserting <9,099,686>

By HEDDENS of Story

**H-8162** FILED MARCH 9, 2012

**HOUSE FILE 2435**

**H-8163**

1 Amend House File 2435 as follows:  
2 1. Page 49, line 27, by striking <53,852,947> and  
3 inserting <62,315,440>

By HEDDENS of Story

**H-8163** FILED MARCH 9, 2012

HOUSE FILE 2435

H-8164

1 Amend House File 2435 as follows:

2 1. Page 50, before line 6 by inserting:

3 <Sec. \_\_\_\_\_. 2011 Iowa Acts, chapter 129, section  
4 139, is amended to read as follows:

5 SEC. 139. GENERAL ADMINISTRATION. There is  
6 appropriated from the general fund of the state to  
7 the department of human services for the fiscal year  
8 beginning July 1, 2012, and ending June 30, 2013, the  
9 following amount, or so much thereof as is necessary,  
10 to be used for the purpose designated:

11 For general administration, including salaries,  
12 support, maintenance, and miscellaneous purposes, and  
13 for not more than the following full-time equivalent  
14 positions:

15 .....	\$	<del>7,298,372</del>
16 .....		<u>15,621,842</u>
17 .....	FTEs	<u>285.00</u>
18 .....		<u>295.00</u>

19 1. Of the funds appropriated in this section,  
20 ~~-\$19,271~~ \$38,542 allocated for the prevention of  
21 disabilities policy council established in section  
22 225B.3.

23 2. The department shall report at least monthly  
24 to the legislative services agency concerning the  
25 department's operational and program expenditures.

26 3. Of the funds appropriated in this section,  
27 ~~-\$66,150~~ \$132,300 shall be used to continue the contract  
28 for the provision of a program to provide technical  
29 assistance, support, and consultation to providers of  
30 habilitation services and home and community-based  
31 waiver services for adults with disabilities under the  
32 medical assistance program.

33 4. Of the funds appropriated in this section,  
34 ~~-\$88,200~~ \$176,400 shall be used to continue the contract  
35 to expand the provision of nationally accredited and  
36 recognized internet-based training to include mental  
37 health and disability services providers.

38 5. Of the funds appropriated in this section,  
39 ~~-\$250,000~~ \$500,000 shall be used for continuation of  
40 child protection system improvements addressed in 2011  
41 Iowa Acts, House File 562, as enacted chapter 28.>

42 2. By renumbering as necessary.

By HEDDENS of Story

H-8164 FILED MARCH 9, 2012

HOUSE FILE 2435

H-8165

1 Amend House File 2435 as follows:  
2 1. Page 59, line 28, by striking <amount> and  
3 inserting <amounts>  
4 2. Page 59, line 31, by striking <For> and  
5 inserting <1. For>  
6 3. Page 59, after line 32 by inserting:  
7 <2. For providing reimbursement for overnight  
8 lodging for expansion population members under the  
9 IowaCare program pursuant to chapter 249J when patient  
10 care requires an overnight stay and no other third  
11 party reimbursement is available:  
12 ..... \$ 250,000  
13 The department shall adopt rules relating to the  
14 reimbursable amount per night of lodging and the total  
15 number of nights for which reimbursement is available  
16 per member under this subsection.>

By HEDDENS of Story

H-8165 FILED MARCH 9, 2012

HOUSE JOINT RESOLUTION 2010

H-8166

1 Amend House Joint Resolution 2010 as follows:  
2 1. Page 3, line 1, after <relief> by inserting <for  
3 personal income tax reduction, homeowner property tax  
4 reduction, sales tax reduction, or improving the health  
5 of the citizens of Iowa>

By PETERSEN of Polk

H-8166 FILED MARCH 9, 2012

HOUSE JOINT RESOLUTION 2010

H-8167

1 Amend House Joint Resolution 2010 as follows:  
2 1. Page 3, line 1, after <relief> by inserting  
3 <for personal income tax reduction, homeowner property  
4 tax reduction, sales tax reduction, citizens of Iowa  
5 who qualify for the earned income tax credit or its  
6 successor, or aid to small businesses>

By PETERSEN of Polk

H-8167 FILED MARCH 9, 2012



HOUSE JOINT RESOLUTION 2010

H-8168

1 Amend the amendment, H-8077, to House Joint  
2 Resolution 2010 as follows:

3 1. Page 1, by striking lines 1 through 36 and  
4 inserting:

5 <Amend House Joint Resolution 2010 as follows:

6 \_\_\_\_\_. By striking everything after the resolving  
7 clause and inserting:

8 <Section 1. The following amendment to the  
9 Constitution of the State of Iowa is proposed:

10 The Constitution of the State of Iowa is amended by  
11 adding the following new section to new Article XIII:

12 ARTICLE XIII.

13 TAXPAYERS TRUST FUND

14 Taxpayers trust fund. SECTION 1.

15 1. A taxpayers trust fund is created within the  
16 treasury to provide tax relief. The maximum balance  
17 of the trust fund shall be established by statute but  
18 shall not be more than one percent of the state's  
19 annual net general revenue.

20 2. Except for temporary cash flow purposes, moneys  
21 in the taxpayers trust fund shall only be used in  
22 accordance with appropriations made for purposes of  
23 providing tax relief for any of the following purposes:

24 a. Personal income tax reduction.

25 b. Homeowner property tax reduction.

26 c. Sales tax reduction.

27 d. Citizens of Iowa who qualify for the earned  
28 income tax credit.

29 e. Aid to small businesses.

30 3. The general assembly shall enact laws to  
31 implement this section.

32 Sec. 2. The foregoing proposed amendment to the  
33 Constitution of the State of Iowa is referred to the  
34 general assembly to be chosen at the next general  
35 election for members of the general assembly, and the  
36 Secretary of State is directed to cause the amendment  
37 to be published for three consecutive months previous  
38 to the date of that election as provided by law.>

39 \_\_\_\_\_. Title page, by striking lines 1 through 5 and  
40 inserting <A Joint Resolution proposing an amendment to  
41 the Constitution of the State of Iowa relating to state  
42 budgeting by creating a taxpayers relief fund.>

43 \_\_\_\_\_. By renumbering as necessary.>

By PETERSEN of Polk

H-8168 FILED MARCH 9, 2012

HOUSE JOINT RESOLUTION 2010

H-8169

1 Amend the amendment, H-8077, to House Joint  
2 Resolution 2010 as follows:

3 1. Page 1, by striking lines 1 through 36 and  
4 inserting:

5 <Amend House Joint Resolution 2010 as follows:

6 1. By striking everything after the resolving  
7 clause and inserting:

8 <Section 1. The following amendment to the  
9 Constitution of the State of Iowa is proposed:

10 The Constitution of the State of Iowa is amended by  
11 adding the following new section to new Article XIII:

12 ARTICLE XIII.

13 TAXPAYERS TRUST FUND

14 Taxpayers trust fund.SECTION 1.

15 1. A taxpayers trust fund is created within the  
16 treasury to provide tax relief. The maximum balance  
17 of the trust fund shall be established by statute but  
18 shall not be more than one percent of the state's  
19 annual net general revenue.

20 2. Except for temporary cash flow purposes, moneys  
21 in the taxpayers trust fund shall only be used in  
22 accordance with appropriations made for purposes of  
23 providing tax relief for any of the following purposes:

24 a. Personal income tax reduction.

25 b. Homeowner property tax reduction.

26 c. Sales tax reduction.

27 d. Expanding eligibility and the amounts of  
28 property tax credits and rent reimbursements for  
29 persons with low income who are elderly or disabled.

30 3. The general assembly shall enact laws to  
31 implement this section.

32 Sec. 2. The foregoing proposed amendment to the  
33 Constitution of the State of Iowa is referred to the  
34 general assembly to be chosen at the next general  
35 election for members of the general assembly, and the  
36 Secretary of State is directed to cause the amendment  
37 to be published for three consecutive months previous  
38 to the date of that election as provided by law.>

39 2. Title page, by striking lines 1 through 5 and  
40 inserting <A Joint Resolution proposing an amendment to  
41 the Constitution of the State of Iowa relating to state  
42 budgeting by creating a taxpayers relief fund.>

43 3. By renumbering as necessary.>

By LENSING of Johnson

H-8169 FILED MARCH 9, 2012